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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/651,599

08/29/2003

Raymond A., Davis

MICR-155US

9701

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7590

12/11/2008

RatnerPrestia

P.O. BOX 980

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EXAMINER

LAM, HUNG H

ART UNIT

PAPER NUMBER

2622

MAIL DATE

DELIVERY MODE

12/11/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/651,599

Applicant(s)

DAVIS, RAYMOND A..

Examiner

HUNG H. LAM

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09/03/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 and 38-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-35 and 38-41 is/are allowed.
- 6) ☒ Claim(s) 36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08/29/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendments, filed on 09/03/08, have been entered and made of record.
2. In view of the applicant's amendment to claim 36, the rejection under 35 U.S.C. 112, second paragraph is hereby withdrawn.

Response to Arguments

3. Applicant's arguments with respect to claim 36 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kubo (US-6,639,626) in view of Umeda (JP02-248,170) and further in view of Juen (US-5,812,703).

Regarding **claim 36**, Kubo discloses a method of operating an electronic apparatus having first and second image modules, said method comprising:

first capturing a scene by the first image module while the second image module is turned/switched off (Col. 14, Ln.22-Col. 15, Ln. 15);

previewing the scene on a display (Col. 15, Ln. 1-16);

turning/switching on the second image module after the capturing of the scene by the first image module (Col. 15, Ln. 16-31); and

second capturing, immediately after the turning/switching on of the second image module, the scene at a higher resolution than the previewed scene using the second image module based on the previewed scene (Col. 15, Ln. 16-40) .

However, Kubo fails to explicitly disclose that first capturing a scene by the first image module while the second image module is power off.

powering on the second image module after the capturing of the scene by the first image module; and second capturing, immediately after the powering on of the second image mode.

In the same field of endeavor, Umeda teaches a camera system having a power supply means for starting and stopping power supply to relevant parts of a camera via a control command (Means of Solving these Problems: section 4-5; page 4). Umeda further teaches to stop supplying power to CCD , CCD driver 10 , AD and DSP parts that are not necessary while supplying power to the remaining parts of the camera including control system, memory card, power circuit 1, 11 and 2 12 (page 5). In light of the teaching from Umeda, it would have been obvious to one of ordinary skill in the art

at the time the invention was made to modify the device of Kubo to stop supplying power to the second image module and only supply power to the second image module when necessary as taught by Umeda. The modifications thus efficiently utilize the battery power and extend battery's life (Umeda: page 5: second paragraph; page 7: section 13).

However, Kubo in view of Umeda fails to explicitly disclose such that fixed pattern noise in the second capturing scene is reduced when the second image module has been powered off during the first capturing of the scene relative to if the second image module had been powered on during the first capturing of the scene.

In the same field of endeavor, Juen teaches that In general, when long-time exposure is effected by means of an imaging device such as CCD, the dark current of the imaging device greatly increases, thereby yielding a high dark output. It has been known that the dark current is generated with a time-lag, whereby the dark current suddenly increases after exposure is continued for more than a certain time. Accordingly, even in the case where the dark current is such an amount that it is not problematic and cannot be recognized as a change in the fixed pattern noise in a normal exposure time, it may not be neglected any more when the exposure time becomes so long that it reaches one second (Col. 10, Ln. 10-23). In light of the teaching from Juen, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Kubo and Umeda to power off the second image module while the first image module is powered on in order to reduce exposure time and dark current in the second image module. The modifications thus provide a

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means for reducing dark current/ fixed pattern noise and unnecessary power consumption.

Allowable Subject Matter

6. Claims 1-35 and 38-41 are allowed as set forth by the Non Final Office Action mailed 06/16/08.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Tsikos (US-2008/0,156,882) discloses CCD image sensors that are disabled during normal operation so that image sensors nominal noise pattern.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG H. LAM whose telephone number is (571)272-7367. The examiner can normally be reached on Monday - Friday 8AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, SINH TRAN can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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12/04/08

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/Sinh N Tran/

Supervisory Patent Examiner, Art Unit 2622